

REMARKS

Claims 1-17 are pending in this application. Independent claims 1 and 13 are amended above to further distinguish the claimed invention from the prior art of record.

The Examiner's grounds for finally rejecting the application claims are traversed below.

I. TRAVERSE OF THE PRIOR ART REJECTION

The Examiner has maintained his rejection of all application claims as being anticipated by or as being obvious over the Coombs reference in the October 10, 2003 Final Rejection. In response to the Applicant's position that Coombs does not disclose a "resilient" container, the Examiner takes the position that the term "resilient" is defined in Webster's as "capable of withstanding shock without permanent deformation or rupture". (*Citing Webster's Ninth New Collegiate Dictionary, 1990*). The Examiner goes on to say that since the bottle in Coombs is collapsible, it is able to "withstand shock without rupture" and is, therefore, resilient.

Independent claims 1 and 13 have been amended above to indicate that the "resilient bottle is capable of returning to its original form after being squeezed". Coombs does not disclose a bottle or a container that has such a capability. Instead Coombs discloses a container 12 that is referred to throughout the reference as a "collapsible tube or container". Material is forced from the Coombs container by squeezing the container. Moreover, squeezing the container and removing material from the container causes it to collapse as Coombs clearly teaches:

As the paint or other suitable stripping material in the collapsible tube or container 12 is used up or consumed, the body of the collapsible tube or container 12 may be wound or rolled upon itself and after the collapsible tube or container 12 has been emptied it may be readily removed from the stripping wheel-bearing unit or head

(C.ol. 4, lines 14-20) This excerpt demonstrates that the Coombs container is designed to collapse and is not capable of returning to its original form after being squeezed. The Examiner's anticipation and obviousness rejections of claims 1-17 should, therefore, be withdrawn in view of the amendments to claims 1 and 13 above,

CONCLUSION


For the reasons set forth above, claims 1-17 are believed to be presently patentable. Favorable reconsideration and allowance of all pending claims is, therefore, courteously solicited.

Respectfully submitted,

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Dated: April 9, 2004

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